

Amendment No. 1 to SA0913

Haile
Signature of Sponsor

AMEND Senate Bill No. 2315

House Bill No. 2430*

by deleting subsection (b) in the amendatory language of Section 1 and substituting:

(b) A county LEA shall not operate a school located within the geographic boundaries of a municipal LEA, except as authorized in this section.

AND FURTHER AMEND by deleting subsection (c) in the amendatory language of Section 1 and substituting:

(c) A county LEA may operate a school located within the geographic boundaries of a municipal LEA if the municipal LEA and the county LEA operating a school located within the geographic boundaries of the municipal LEA enter into a written agreement prior to the start of the school year immediately following the creation of the municipal LEA pursuant to § 49-2-127 or June 30, 2023, at 11:59 p.m., whichever is later. If the municipal LEA and the county LEA operating a school located within the geographic boundaries of the municipal LEA do not enter into a written agreement prior to the start of the school year immediately following the creation of the municipal LEA, then the municipal LEA, or the municipality in which the municipal LEA is located, receiving title to all real property and fixtures pursuant to subsection (d), shall enter into a written agreement with the county LEA to allow the county LEA to continue operating a school located within the geographic boundaries of the municipal LEA. A written agreement entered into between a county LEA and a municipal LEA for purposes of this subsection (c) must:

AND FURTHER AMEND by deleting subsection (d) and in the amendatory language of Section 1 and substituting:

(d) If a county LEA owns or operates a school located within the geographic boundaries of a municipal LEA on July 1 prior to the start of the school year immediately following the creation of the municipal LEA pursuant to § 49-2-127 or June 30, 2023, at 11:59 p.m., whichever is later, then title to all real property and fixtures used by the county LEA for the operation of a school located within the geographic boundaries of the municipal LEA immediately vests to the municipal LEA by operation of law. The director of schools for the municipal LEA shall execute an affidavit evidencing transfer of title from the county LEA to the municipal LEA, or to the municipality in which the municipal LEA is located, and shall record the affidavit with the office of the register of deeds for the county in which the property is located. The effective date of a transfer of title pursuant to this subsection (d) is the date on which the municipal LEA's director of schools records the affidavit with the office of the register of deeds.

AND FURTHER AMEND by deleting subdivision (e)(2)(A) in the amendatory language of Section 1 and substituting:

(A) At least twenty-five percent (25%) of the reimbursement due to the county LEA must be paid to the county on the effective date of the transfer of title. The remainder of the reimbursement must be paid to the county LEA in eight (8) annual installments. The first installment is due one (1) year from the date on which title to all real property and fixtures was transferred to the municipal LEA, or to the municipality in which the municipal LEA is located, pursuant to subsection (d). All subsequent installments are due annually on that same date until the reimbursement obligation is satisfied.